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SUBJECT: SWISS-LIBYAN RELATIONS: SWITZERLAND IN REBUFF
MODE; SAIF GADDAFI NOT SEEKING ASYLUM

REF: TRIPOLI 208

Classified By: CHARGE D'AFFAIRES A.I. LEIGH G. CARTER;
REASONS 1.4(B) A ND (D).

1. (S) Summary: In a March 10 meeting, the Swiss MFA Director for Security Policy, Ambassador Jacques Pitteloud, updated Charge on the status of the ongoing crisis in Swiss-Libyan relations triggered last July when Geneva cantonal police temporarily arrested Hannibal Gaddafi, son of Libyan leader Muammar Gaddafi, along with Hannibal's wife for brutally assaulting two of Hannibal's domestic staff in a Geneva hotel. Pitteloud said that the Swiss Federal Department of Foreign Affairs (EDA) twice has been led to believe by Libyan interlocutors that it had reached a deal with the Libyan government regarding modalities to defuse the crisis, only to be let down subsequently by the Libyan government. Having been led along twice by the Libyans, Pitteloud said that Switzerland now is rebuffing purported overtures by Tripoli. Pitteloud said that the Libyan government seemed less haughty in its dealing with Switzerland in recent days. He attributed this apparent change in attitude to the humbling effect on Libya of falling oil prices in the context of the global financial crisis. Nevertheless, given Libya's past behavior, Switzerland is content for the time being to keep Tripoli at arms length. Pitteloud categorically denied "rumors" that Saif Gaddafi, second eldest son of Muammar Gaddafi, had sought asylum in Switzerland. Pitteloud said that there was absolutely no substance behind such rumors and that the Swiss government would certainly inform the USG, if Saif Gaddafi were to make such an application. End Summary.

SWITZERLAND IN REBUFF MODE

2. (S) Pitteloud provided Charge an update on the ongoing crisis in Swiss-Libyan relations triggered last July when Geneva cantonal police temporarily arrested Hannibal Gaddafi, son of Libyan leader Muammar Gaddafi, along with Hannibal's wife for brutally assaulting two of Hannibal's domestic staff in a Geneva hotel. According to Pitteloud, the Swiss Federal Department of Foreign Affairs (EDA) twice has been led to believe by Libyan interlocutors that it had reached a deal with the Libyan government regarding modalities to defuse the crisis. One of the key terms of these deals was that the Swiss government would express "regret" for the incident. (Note: The GOS already has publicly expressed some criticism of the way in which the arrests of Hannibal and his wife were conducted. End Note) Pitteloud said that in each case the Libyan government subsequently did not uphold its end of the deals. He underlined that the Swiss government -- having been led along twice by the Libyans -- now is rebuffing purported overtures by Tripoli. Pitteloud did not elaborate on the details of such overtures, but suggested that none of

the "daily" communications by Libyan officials were compelling enough to elicit a favorable Swiss response, in light of Libyan behavior in the affair thus far. In this context, he commented that Foreign Minister Calmy-Rey had refused an offer for a meeting from the Libyan Prime Minister.

13. (S) Pitteloud said that the Libyan government seemed less haughty in its dealing with Switzerland in recent days. He attributed this apparent change in attitude to the humbling effect on Libya of falling oil prices in the context of the global financial crisis. Pitteloud observed that this was hardly a time when Libya could afford to further alienate potential investment partners. Nevertheless, given Libya's past behavior, Switzerland is content for the time being to keep Tripoli at arms length. Pitteloud said that most Swiss companies doing business in Libya had rewired their activities via affiliates in other European countries. The main concern of the Swiss government at this point is the welfare of two Swiss businessmen who the Libyan authorities have refused to allow to leave Libya. Pitteloud intimated that, were it not for its abiding concern about those two Swiss citizens, Switzerland would be prepared to let its relations with Libya atrophy indefinitely. In any case, Switzerland plans to reduce its embassy staff in Tripoli to minimal levels starting in April.

14. (S) According to recent press reports, the Libyan government plans to lodge a legal complaint in a Geneva court against Geneva cantonal officials for their alleged mistreatment of Hannibal Gaddafi and his wife. Pitteloud said that the Swiss government all along had told the Libyans that filing such a complaint was an option, but the Libyans up until now had avoided that route. Pitteloud observed that "Switzerland is a rule of law country, and has nothing to fear from such a legal proceeding."

SAIF GADDAFI NOT SEEKING ASYLUM

15. (S) The diplomatic advisor to Swiss President Merz, Andrea Rauber Saxer, told Charge March 6 that Saif Gaddafi, second eldest son of Libyan leader Muammar Gaddafi, was unable to return from Europe to Libya, suggesting this was due to tensions between Saif and his father. Saif Gaddafi, perhaps best known in Europe for his role as chairman of the Gaddafi International Charity and Development Foundation (GICDF), attended the World Economic Forum (WEF) in Davos, Switzerland in late January. On the margins of the WEF, Saif Gaddafi met with FM Calmy-Rey in an effort to mediate a resolution to the Swiss-Libyan crisis. That mediation effort was unsuccessful.

In addition to the comments by President Merz's diplomatic advisor to Charge, post DAO recently was approached by an Austrian Embassy counterpart asking whether the USG had heard anything about Saif Gaddafi seeking asylum in Switzerland. The Austrian embassy counterpart referred to February press articles reporting that Saif Gaddafi was a victim of "clan warfare" within the Gaddafi family.

16. (S) Charge asked Pitteloud whether Saif Gaddafi has, in fact, applied for asylum in Switzerland. Pitteloud categorically denied such "rumors," saying that there was absolutely no substance behind them and that the Swiss government would certainly inform the USG, if Saif Gaddafi were to make such an application. Pitteloud noted that the GOS had seen the reports of Saif Gaddafi allegedly having trouble with his family, but also had indications that he might have returned home at least once, since the WEF. Pitteloud underlined that the Swiss government could not confirm this, since it does not keep tabs on Saif Gaddafi's whereabouts and Saif Gaddafi has a Swiss visa and therefore can travel to and from Switzerland as he pleases.

17. (U) Tripoli Minimize Considered.